

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:08-00214

DEREK RANKIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On May 10, 2017, the United States of America appeared by Timothy D. Boggess, Assistant United States Attorney, and the defendant, Derek Rankin, appeared in person and by his counsel, George H. Lancaster, Jr., Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Patrick M. Fidler. The defendant commenced a 21-month term of supervised release in this action on December 22, 2016, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on August 1, 2016.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state offense of battery inasmuch as on February 11, 2017, while incarcerated at the South Central Regional Jail in Kanawha County, West Virginia, he was involved in an altercation involving several inmates in which the victim was hit multiple times, as evidenced by his stipulation on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; and (2) the defendant failed to follow the instructions of the probation officer inasmuch as he did not provide information regarding his bloodwork/kidney function in accordance with the probation officer's instructions, as evidenced by his admission on the record of the hearing; all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

imposed upon the defendant in this action be, and it hereby is, revoked.

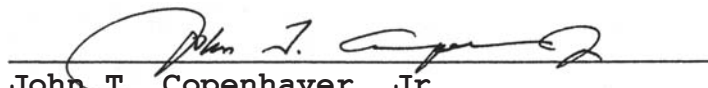
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWELVE MONTHS AND ONE DAY.

The defendant was remanded to the custody of the United States Marshal.

Recommendation: The court recommends that the defendant be designated to a medical facility for monitoring and, if feasible, treatment of his health conditions.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 12, 2017

  
John T. Copenhaver, Jr.  
United States District Judge